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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,544	09/29/2003	Norikazu Kobayashi	000409-059	7501

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EXAMINER

WALSH, JOHN B

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/671,544	Applicant(s) KOBAYASHI ET AL.	
	Examiner John B. Walsh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 6, reference numeral 12 is used for both the grip and main frame. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4-12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,588,813 to Marcarini et al.

Marcarini et al. '813 disclose a frame (figure 1; 4) fixed to a vehicle door (3); the frame including an element having a first portion constituting a main frame (4) and a second portion constituting a chassis (portion of 1 with cavity having cover 23) forming an inner space (cavity for circuit); a grip (5) including an electrical component (6); the frame is provided with a circuit (column 2, lines 30-31; interface circuit) electrically connected with the electrical component.

As concerns claims 4, 8 and 12, wherein the chassis includes a case portion (back portion) and a cover portion (23), the case portion includes a base wall portion (portion of wall opposite cover portion) having predetermined width along a longitudinal direction of the vehicle and extending upward from the frame (Depending on the point of reference the chassis of

Art Unit: 2151

Marcarini et al extends upwardly from the main frame and the inner space is disposed above the main frame (figure 2; point of reference wherein the page is upward and into the page is downward)) and an outer opening portion (opening in the cavity) opening at least outside, and the cover portion covers the outer opening portion from the outside of the vehicle (from outside the opening is closed and covered).

As concerns claim 5, wherein an upper side of the chassis is aslant outside (figures 1 and 2; chassis not perfectly level along its length, providing a slant).

As concerns claims 6, 9 and 10, wherein the chassis includes an upper wall portion (top wall portion) integrally extending outside from the upper side of the base wall portion, and a connected portion (edge between portions) between the upper wall portion and the cover portion has labyrinthine structure (structure provides a seal against water since there is no gap between the portions which is equivalent to what applicant has described in the specification as a labyrinthine and it's intended function).

As concerns claim 7, wherein the upper wall portion extends outside beyond the connected portion (figure 1; left and right of upper wall extends beyond the connected portion of the middle).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,588,813 to Marcarini et al.

As concerns claim 3, the chassis includes an opening portion (opening portion for 19 to connect with the interface circuit; column 2, lines 28-30) and a connecting member (19) for connecting the electrical component to the circuit extends through the opening portion. It would have been obvious to one having ordinary skill in the art to place the opening on the bottom side. Applicant has not disclosed any advantage for the placement of the opening being on the bottom rather than the side, thereof such a limitation is seen as an obvious design choice.

Response to Arguments

6. Applicant's arguments filed November 23, 2004 have been fully considered but they are not persuasive.

The applicant argues the circuit is not positioned between the outer door panel and an element comprised of a main frame and a chassis part. Marcarini et al. discloses a main frame (4) and a chassis part (portion of 1 with cavity having cover 23). The circuit is enclosed within the cavity, wherein it is positioned between the element (cover of 23) and the outer panel of the door (3; figure 1).

The applicant argues that Marcarini et al does not disclose a case portion and cover portion. See paragraph above concerning claim 4, wherein Marcarini et al discloses a chassis (portion of 1 with cavity) that includes a base wall portion and extends upward from the frame and an outer opening portion (opening in cavity) and a cover portion (23).

Art Unit: 2151

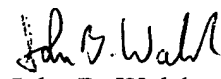
As concerns claim 12, the applicant has not indicated the patentable importance of the second portion of the element extending upwardly from the main frame, whereby the inner space of the chassis is disposed above the main frame. Depending on the point of reference the chassis of Marcarini et al extends upwardly from the main frame and the inner space is disposed above the main frame (figure 2; point of reference wherein the page is upward and into the page is downward).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Friday from 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John B. Walsh
Primary Examiner
Art Unit 2151